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October 20, 2003

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND DELIVERY

Ms Marlene H Dortch, Secretary
Federal Communications Commission
445 12th Street, S W
Washington, D C 20554

Re *WC Docket No 02-359, In the Matter of the Petition of Cavalier Telephone, LLC Pursuant to Section 252(e)(5) of the Communications Act for Preemption of the Jurisdiction of the Virginia State Corporation Commission Regarding Interconnection Disputes with Verizon Virginia Inc. and for Arbitration*

Dear Ms Dortch

Cavalier Telephone, LLC ("Cavalier") respectfully submits the Surrebuttal Testimony of Martin W Clift, Jr and Walter Cole

Please contact me at 804 422 4517 if you have any questions

Sincerely,

Stephen T Perkins
Counsel for Petitioner

cc Karen Zacharia, Esquire
Kimberly A Newman, Esquire
Ms Terri Natoli
Mr Jeremy Miller
Ms Deena Shetler

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List A B C D E

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Petition of Cavalier Telephone, LLC	)	WC Docket No 02-359
Pursuant to Section 252(e)(5) of the	)	
Communications Act for Preemption	)	
of the Jurisdiction of the Virginia State	)	
Corporation Commission Regarding	)	
Interconnection Disputes with Verizon	)	
Virginia, Inc. and for Arbitration	)	

SURREBUTTAL TESTIMONY OF MARTIN W. CLIFT, JR. ON BEHALF OF CAVALIER TELEPHONE, LLC

CAVALIER EXHIBIT C23

October 20, 2003

Q. Do you agree with the conclusion of Verizon's witness, Mr. Agro, on page 6, line 5 of his rebuttal testimony, that the Virginia performance assurance plan, or PAP, covers all of the situations identified in Ms. Webb's testimony regarding Verizon missed loops installations and missed appointments?

A No First, issue C27 deals with **new loop** installations, and new loops only. It involves loops not delivered and missed appointments, and not hot cuts or any services related to the unbundled network element platform, or UNE-P Issue C27 involves the situations in which Verizon claims that a new loop is delivered, when it is not. And in these situations, the loop installation is in effect "closed," such that Cavalier must open a trouble ticket to have the loop repaired before Cavalier can even begin to offer service.

As a result, in addressing the PAP and Mr Agro's testimony, one should focus on the *installation* and *maintenance* of new loops. New loop installations account for roughly 50% of all Cavalier orders for UNEs. For the period corresponding to the data in Ms. Webb's Exhibit AW-2, Cavalier installed the following number of new loops:

June 2003	4,494 new loops
July 2003	3,170 new loops
August 2003	4,114 new loops

Verizon's PAP records these loop installations as a "hit," when they are really, in effect, a complete "miss."

Moreover, what is reported and measured for any PAP payout is not really relevant to new loop installations. The PAP data is filtered and it is too diluted by the inclusion of other types of services to have any real significance for new loop installations That much is shown by the specific measurements discussed by Mr. Agro,

in documents produced in discovery and Bates-numbered Verizon 0729 (271 Backslide Report for June 2003, copy attached as Exhibit MC-1S) and Verizon 0738 (Cavalier-specific performance measures, copy attached as Exhibit MC-2S). The measures that Mr. Agro discusses (copy attached as Exhibit MC-3S) have the following problems:

a. PR 4-04 – % Missed Appointment New Loop - Dispatch.

This metric is not relevant in that it pertains to new loops requiring a "dispatch." The metric does not account for the number of loops that are "cut-through," that is, loops for which Verizon does not dispatch a technician for installation

The data below illustrates the shortcoming of this metric.

Month	Cavalier Installs	Verizon's Cavalier-Specific Observations (from Exhibit MC-2S)	Verizon CLEC Observations (from Exhibit MC-1S)
June	4494	1528	1616
July	3170	1426	Not Available
August	4114	1289	Not Available

b. PR 4-02 – Average Delay Days - Total

This metric is not relevant because it includes hot cuts and DSL loops.

c. PR 6-01 – % Installation troubles within 30 days

This metric is not relevant because it includes UNE-P data On the Verizon June "Backslide" report, Verizon recorded 61,598 observations.

d. PR 6-02 – % installation Troubles within 7 days-Hot Cuts

This metric is not relevant because it pertains to hot cuts only.

e. PR 9-01 – % on Time Performance -Hot Cut

This metric is not relevant because it pertains to hot cuts only.

f. MR 3-01 – % Missed Repair Appointment

This metric is not relevant because it includes UNE-P data.

g. MR 4-02 – Mean Time to Repair

This metric is not relevant because it includes UNE-P data

h. MR 4-08 – % Out of Service >24 hours.

This metric is not relevant because it includes UNE-P data

i. MR 5-01- % Repeat Reports.

This metric is not relevant because it includes UNE-P data.

In conclusion, the PAP contains a complex and multi-faceted grading system, with many puts and takes, and with various data filters and algorithms for scoring the data that is included as a success or failure. It is a specialized, insulated, and self-enclosed Verizon system, with 100% of the reporting and administration controlled exclusively by Verizon Cavalier has no input into the data compilation, and no means to sign off on its results

The real acid test, however, is that if the PAP addresses the issue raised by Cavalier under Issue C27, then why hasn't Cavalier received a payment for the Verizon installation and repair miscues as testified by Ms Webb? Despite the documented existence of specific problems, Cavalier has received no payments. That fact, in and of itself, is reason not to defer to the PAP as a resolution of this issue.

Declaration of Martin W. Clift, Jr.

I declare under penalty of perjury that I have reviewed the foregoing testimony and the it is true and accurate to the best of my knowledge.

Executed this 20th day of October, 2003.

Martin W. Clift, Jr.

Martin W Clift, Jr.

Verizon VA 271 Backslide Report

June 2003

UNE

	Pre-Ordering	VZ	CLEC	Diff	Perf Score	Wgt	Wgtd Score
PO-1-01-6020	**Customer Service Record - EDI**	0 20	2 74	2 54	0	15	0 000
PO-1-01-6030	**Customer Service Record - CORBA**	0 20	0 91	0 71	0	5	0 000
PO 1 01 6050	**Customer Service Record - WEB GUI**	0 20	1 21	1 01	0	5	0 000
PO 1-02-6020	Due Date Availability - EDI	0 96	3 99	3 03	0	5	0 000
PO-1-02-6030	Due Date Availability - CORBA	0 96	1 64	0 68	0	2	0 000
PC 1 02-6050	Due Date Availability - WEB GUI	0 96	2 01	1 04	0	2	0 000
PO 1-03 6020	Address Validation -EDI	3 67	4 74	1 08	0	5	0 000
PO-1-03-6030	Address Validation - CORBA	3 67	2 79	-0 88	0	2	0 000
PC 1-03-6050	Address Validation - WEB GUI	3 67	4 59	0 92	0	2	0 000
PC 1 04-6020	Product and Service Availability - EDI	7 93	11 15	3 21	0	5	0 000
PO-1-04-6030	Product and Service Availability - CORBA	7 93	NA		0	0	0 000
PO-1 04-6050	Product and Service Availability - WEB GUI	7 93	9 65	1 72	0	2	0 000
PC 1 05-6020	Telephone Number Availability and Reservation - EDI	4 53	7 69	3 16	0	5	0 000
PO-1-05 6030	TN Availability and Reservation CORBA	4 53	5 33	0 79	0	2	0 000
PC-1 05-6050	TN Availability and Reservation - WEB GUI	4 53	5 18	0 65	0	2	0 000
PO-2-02-6020	**OSS Interface Availability - Prime - EDI**		99 91		0	20	0 000
PO-2-02-6030	**OSS Interface Availability - Prime - CORBA**		100 00		0	10	0 000
PO-2-02-6080	**OSS Interface Availability - Prime - WEB GUI***		99 41		0	10	0 000
PC-3-02-3000	% Answered within 30 Seconds - Ordering		83 11		0	10	0 000
PO 3-04-3000	% Answered within 30 Seconds - Repair		81 08		0	10	0 000

OR	Ordering			Observations							
OR-1-02-3320	**% On Time LSRC - Flow Through - POTS - 2hrs**		97 77	79,233					0	20	0 000
OR 1-04 3100	**% On Time LSRC/ASRC - No Facility Check - POTS**		92 44	6 664					-1	5	-0 009
OR 1-04-3210	% On Time LSRC/ASRC - No Facility Check DS0 - Specials		NA						0	0	0 000
OR-1-06-3320	**% On Time LSRC/ASRC - Facility Check - POTS**		95 85	410					0	5	0 000
OR 1 06-3200	% On Time LSRC/ASRC - Facility Check - Specials		100 00	226					0	5	0 000
OR-2 02-3320	**% On Time LSR Reject - Flow Through - POTS**		99 12	11 829					0	15	0 000
OR 2-04 3320	**% On Time LSR/ASR Reject - No Facility Check - POTS**		96 16	2,449					0	5	0 000
OR 2 04-3200	% On Time LSR/ASR Reject - No Facility Check - Specials		100 00	2					0	5	0 000
OR-2-06-3320	**% On Time LSR/ASR Reject - Facility Check - POTS**		95 76	165					0	5	0 000
OR 2 06-3200	% On Time LSR/ASR Reject - Facility Check - Specials		NA						0	0	0 000
OR-4-09-3000	**% SOP to Bill Completion Sent w/in 3 Business Days**		99 85	56,175					0	15	0 000
OR-5-03 3000	% Flow Through - Achieved - POTS & Specials		97 48	82,223					0	20	0 000

PR	Provisioning	VZ	CLEC	VZ	CLEC	VZ Standard Deviation	Sampling Error	Stat Score			
PR-3 08-3142	% Completed w/in 5 Days (1-5 lines-No Disp)-UNE-P/Other	93 06	99 70	82,430	8,035		0 30	22 3704	0	10	0 000
PR 3 09 3142	% Completed w/in 5 Days (1-5 lines-Dispatch)-UNE-P/Other	92 02	94 65	10,089	878		0 95	2 7545	0	5	0 000
PR-4-01-3200	**% Missed Appointment - VZ - Total - Specials**	9 34	3 10	835	129		2 75		0	10	0 000
PR-4 01-3510	**% Missed Appointment - VZ - Total - EEL**	9 14	0 00	175	19		6 96		0	10	0 000
PR 4-01-3530	% Missed Appointment - VZ - Total - IOF	9 09	NA	22					0	0	0 000
PR 4-02-3100	Average Delay Days - Total - POTS	4 03	2 44	3 756	250	9 16	0 60	2 6492	0	10	0 000
PR 4-02-3200	Average Delay Days - Total - Specials	6 33	2 50	78	4	12 76	6 54		0	10	0 000
PR 4 04-3140	% Missed Appt - Verizon - Dispatch POTS Platform	11 56	5 16	18,458	1,764		0 80	8 0364	0	10	0 000
PR-4-04-3113	**% Missed Appointment - VZ - Dispatch - New Loop**	11 56	5 51	18,458	1,616		0 83	7 2955	0	10	0 000
PR-4-05-3140	**% Missed Appt - Verizon - No Dispatch - POTS Platform**	1 32	0 14	122,859	50,217		0 06	19 7333	0	20	0 000
PR 5-01 3100	% Missed Appointment - Facilities - POTS	1 90	0 74	18 458	3 389		0 26	4 5647	0	10	0 000
PR-5-01-3200	% Missed Appointment - Facilities - Specials	1 85	1 37	433	146		1 29		0	10	0 000
PR-5-02-3100	% Orders Held for Facilities > 15 days - POTS	0 10	0 00	18,458	3,389		0 08		0	5	0 000
PR 5 02-3200	% Orders Held for Facilities > 15 days - Specials	0 23	0 00	433	146		0 46		0	5	0 000
PR-6-01-3121	% Installation Troubles reported within 30 Days - POTS Platform	3 20	1 33	167 240	61,598		0 08	22 8537	0	15	0 000
PR-6 01-3200	% Installation Troubles within 30 days - Specials**	1 55	2 33	2 194	172		0 98	-0 5330	0	15	0 000
PR-6-02-3520	**% Installation Troubles within 7 days - Hot Cut**		1 20		1,170				0	15	0 000
PR-9-01-3520	**% On Time Performance - Hot Cut**		97 67		688				0	20	0 000

MR	Maintenance & Repair			Diff			
MR-1-01-2000	Average Response Time - Create Trouble	6 74	3 14	-3 59	0	5	0 000
MR-1-03-2000	Average Response Time - Modify Trouble	6 68	3 76	-2 92	0	5	0 000
MR-1-04-2000	Average Response Time - Request Cancellation of Trouble	7 65	0 94	-6 71	0	5	0 000
MR-1-06-2000	Average Response Time - Test Trouble (POTS only)	62 32	53 38	-8 94	0	5	0 000

								Stat Score			
MR 2 01-3200	Network Trouble Report Rate - Specials	0 56	1 62	96 316	4 268		0 12	-9 1293	-2	10	-0 034
MR-2-02-3112	Network Trouble Report Rate - Loop (POTS)	1 42	0 91	2 680,558	361 335		0 02	25 4500	0	10	0 000
MR-3 01 3112	% Missed Repair Appointments Loop	15 56	6 99	37 949	3 277		0 66	13 0000	0	20	0 000
MR-3-02-3100	% Missed Repair Appointments - Central Office*	31 43	37 31	3,083	134		4 10	-1 4363	0	5	0 000
MR-4-01-3200	**Mean Time to Repair - Specials**	6 31	5 26	537	69	6 69	0 86	1 2255	0	20	0 000
MR-4-02-3112	**Mean Time to Repair - Loop Trouble**	39 18	24 68	37,949	3,277	35 82	0 65	22 2328	0	15	0 000
MR-4-03-3100	**Mean Time to Repair - CO Trouble***	25 70	28 54	3,083	134	31 32	2 76	-1 0269	0	5	0 000
MR-1-08-3100	**% Out of Service > 24 Hours - POTS**	56 69	30 52	21,496	2,556		1 04	25 2460	0	20	0 000
MR-4-08-3200	% Out of Service > 24 Hours - Specials	2 05	0 00	537	64		1 87		0	10	0 000
MR 5-01-3100	**% Repeat Reports w/in 30 days - POTS**	15 27	13 48	41,032	3,421		0 64	2 8094	0	15	0 000
MR-5-01-3200	**% Repeat Reports w/in 30 days - Specials**	18 62	13 04	537	69		4 98	1 1205	0	15	0 000

BI	Billing					
BI 1 02-2030	% DUF in 4 Business Days	96 51		0	10	0 000
	Totals			-3	584	-0 043

"NA" - No Activity or Results cannot be calculated due to zero in the Denominator "UD" - under development

* Adjusted to 0 based on July/ August performance

** Stat and Performance score determined through permutation test

EXHIBIT
MC-15

Service Performance for Cavalier Customers as Compared to Verizon Retail customers and Guideline Standards Ordered by the Virginia Commission

				Performance		Observations		
Month	Metric #	Measure Description	Standard	Verizon Retail	Cavalier	Verizon Retail	Cavalier	
Jun-03	PR-4-02-3100	Average Delay Days – Total	Parity with Retail	4 03	1 30	3755	82	Cavalier customers received better service than Verizon's retail customers
Jul-03	PR-4-02-3100	Average Delay Days – Total	Parity with Retail	3 67	1 60	5494	40	Cavalier customers received better service than Verizon's retail customers
Aug-03	PR-4-02-3100	Average Delay Days – Total	Parity with Retail	4 98	1 15	3384	72	Cavalier customers received better service than Verizon's retail customers
Jun-03	PR-4-04-3113	% Missed Appt – Verizon – Dispatch - Loop New	Parity with Retail	11 56	5 30	18458	1528	Cavalier customers received better service than Verizon's retail customers
Jul-03	PR-4-04-3113	% Missed Appt – Verizon – Dispatch - Loop New	Parity with Retail	11 33	2 73	19002	1426	Cavalier customers received better service than Verizon's retail customers
Aug-03	PR-4-04-3113	% Missed Appt – Verizon – Dispatch - Loop New	Parity with Retail	10 58	5 59	18583	1289	Cavalier customers received better service than Verizon's retail customers
Jun-03	PR-6-01-3112	% Installation Troubles reported within 30 Days - POTS Loop - Total	Parity with Retail	6 58	6 38	23304	4298	Cavalier customers received better service than Verizon s retail customers
Jul-03	PR-6-01-3112	% Installation Troubles reported within 30 Days - POTS Loop - Total	Parity with Retail	7 14	6 54	23943	3778	Cavalier customers received better service than Verizon s retail customers
Aug-03	PR-6-01-3112	% Installation Troubles reported within 30 Days - POTS Loop - Total	Parity with Retail	7 14	5 32	23043	3589	Cavalier customers received better service than Verizon s retail customers
Jun-03	PR-6-02-3520	% Installation Troubles reported within 7 Days - Hot Cut Loop	<= 2%		1 28		935	Service exceeded the standard for Virginia Carrier-to-Carrier Guidelines
Jul-03	PR-6-02-3520	% Installation Troubles reported within 7 Days - Hot Cut Loop	<= 2%		1 49		806	Service exceeded the standard for Virginia Carrier-to-Carrier Guidelines
Aug-03	PR-6-02-3520	% Installation Troubles reported within 7 Days - Hot Cut Loop	<= 2%		1 09		918	Service exceeded the standard for Virginia Carrier-to-Carrier Guidelines
Jun-03	PR-9-01-3520	% On Time Performance – Hot Cut	>= 95%		97 83		644	Service exceeded the standard for Virginia Carrier-to-Carrier Guidelines
Jul-03	PR-9-01-3520	% On Time Performance – Hot Cut	>= 95%		98 93		560	Service exceeded the standard for Virginia Carrier-to-Carrier Guidelines
Aug-03	PR-9-01-3520	% On Time Performance – Hot Cut	>= 95%		96 69		695	Service exceeded the standard for Virginia Carrier-to-Carrier Guidelines
Jun-03	MR-3-01-3550	% Missed Repair Appointment – Loop	Parity with Retail	15 56	6 89	37949	1118	Cavalier customers received better service than Verizon s retail customers
Jul-03	MR-3-01-3550	% Missed Repair Appointment – Loop	Parity with Retail	11 83	2 75	42098	1163	Cavalier customers received better service than Verizon s retail customers
Aug-03	MR-3-01-3550	% Missed Repair Appointment – Loop	Parity with Retail	13 24	5 79	42304	1088	Cavalier customers received better service than Verizon s retail customers
Jun-03	MR-4-02-3550	Mean Time To Repair – Loop Trouble	Parity with Retail	39 18	16 06	37949	1118	Cavalier customers received better service than Verizon's retail customers
Jul-03	MR-4-02-3550	Mean Time To Repair – Loop Trouble	Parity with Retail	35 75	13 37	42098	1163	Cavalier customers received better service than Verizon's retail customers
Aug-03	MR-4-02-3550	Mean Time To Repair – Loop Trouble	Parity with Retail	31 58	14 00	42304	1088	Cavalier customers received better service than Verizon's retail customers
Jun-03	MR-4-07-3550	% Out of Service > 12 Hours	Parity with Retail	76 71	60 02	20693	873	Cavalier customers received better service than Verizon's retail customers
Jul-03	MR-4-07-3550	% Out of Service > 12 Hours	Parity with Retail	70 05	52 41	22788	914	Cavalier customers received better service than Verizon's retail customers
Aug-03	MR-4-07-3550	% Out of Service > 12 Hours	Parity with Retail	68 89	51 83	23741	820	Cavalier customers received better service than Verizon's retail customers
Jun-03	MR-4-08-3550	% Out of Service > 24 Hours	Parity with Retail	58 10	13 86	20693	873	Cavalier customers received better service than Verizon's retail customers
Jul-03	MR-4-08-3550	% Out of Service > 24 Hours	Parity with Retail	48 31	8 75	22788	914	Cavalier customers received better service than Verizon's retail customers
Aug-03	MR-4-08-3550	% Out of Service > 24 Hours	Parity with Retail	42 23	10 37	23741	820	Cavalier customers received better service than Verizon's retail customers

EXHIBIT
MC-25

Sub-Metrics			
PR-4-01	**% Missed Appointment – Verizon – Total**		
Description	The percent of orders completed after the commitment date, due to Verizon reasons		
Products	Resale • DS0 • DS1 • DS3 • Specials Other	UNE • EEL • IOF • DS0 • DS1 • DS3 • Specials Other	
Calculation	**Numerator**		**Denominator**
	Number of Orders where the Order completion date is greater than the order due date due to Verizon reasons for product group		Number of orders completed for product group.
PR-4-02	**Average Delay Days – Total**		
Description	For orders/trunks missed due to Verizon reasons, the average number of days between the order due date and actual work completion date.		
Products	Resale • POTS- Total • 2-Wire Digital Services • Specials Total	UNE • POTS- Total • 2-Wire Digital Services. • 2-Wire xDSL Loops • 2-Wire xDSL - Line Sharing • 2-Wire xDSL- Line Splitting • Specials Total • EEL • IOF	Trunks • CLEC Trunks
Calculation	**Numerator**		**Denominator**
	Sum of the completion date minus due date for orders/trunks missed due to company reasons by product group		Number of orders/trunks missed for company reasons, by product group.
PR-4-03	**% Missed Appointment – Customer**		
Description	The percent of orders/trunks completed after the commitment date, due to CLEC or end-user delay (Refer to Appendix B for Customer Miss Codes)		

EXHIBIT
MC-35

Reference #1 http //www22 verizon com/wholesale/attachments/VZ_E_2002_Holiday_Sched pdf

Products	Resale • POTS- Total • 2-Wire Digital Services • Specials	UNE • POTS- Total • 2-Wire Digital Services • 2-Wire xDSL Loops • 2-Wire xDSL - Line Sharing • 2-Wire xDSL – Line Splitting • EEL • IOF • Specials	Trunks • CLEC Trunks
Calculation	**Numerator**		**Denominator**
	Number of orders/trunks where the order completion date is greater than the order due date due to customer reasons for product group		Number of orders/trunks completed for product group.
PR-4-04	**% Missed Appointment – Verizon – Dispatch**		
Description	The Percent of Dispatched Orders completed after the commitment date, due to Verizon reasons		
Products	Resale • POTS- Total • 2-Wire Digital Services		UNE • POTS- Platform • Loop – New • 2-Wire Digital Services. • 2-Wire xDSL Loops • 2-Wire xDSL - Line Sharing • 2-Wire xDSL- Line Splitting
Calculation	**Numerator**		**Denominator**
	Number of Dispatched Orders where the order completion date is greater than the order due date due to Verizon reasons for product group		Number of Dispatched Orders completed for product group
PR-4-05	**% Missed Appointment – Verizon – No Dispatch**		
Description	The Percent of No-Dispatch Orders completed after the commitment date, due to Verizon reasons.		
Products	Resale • POTS- Total • 2-Wire Digital Services		UNE • POTS- Platform • 2 –Wire Digital Services • 2-Wire xDSL - Line Sharing • 2-Wire xDSL- Line Splitting
Calculation	**Numerator**		**Denominator**

	Number of No Dispatch Orders where the Order completion date is greater than the order due date due to Company Reasons for product group.	Number of No Dispatch Orders Completed for product group.
PR-4-06	**Metric Not In Use In Virginia. Measure moved to PR-9 metrics.**	

Function:

PR-6 Installation Quality

Definition:

This metric measures the percent of lines/circuits/trunks installed where a reported trouble was found in the network within 30 days of order completion

Note: For POTS services, the percent of lines/circuits/trunks installed where a reported trouble was found in the network within seven (7) days This includes Disposition Codes 03 (Drop Wire), 04 (Cable) and 05 (Central Office) Disposition Code 05 includes translation troubles closed via SERVICE automatically by CLEC. Source: NORD

Exclusions:

- Subsequent reports (additional customer calls while the trouble is pending).
- Troubles closed due to customer action.
- Troubles reported by Verizon employees in the course of performing preventative maintenance, where no customer has reported a trouble
- Special Project PONs (if applicable) per the process documented in Appendix S

Formula:

Installation Troubles (within seven (7) or 30 days) with Disposition Codes 03, 04 and 05 divided by Lines completed multiplied by 100

Performance Standard:

Metric PR-6-01: Parity with VZ Retail For Found Troubles

Metric PR-6-01, UNE 2-Wire xDSL Line Sharing and UNE 2-Wire xDSL Line Splitting: Parity with VADI.

Metric PR-6-02, UNE POTS – Loop Hot Cut - % Installation Troubles Reported within seven (7) Days: 2%

Metric PR-6-03: No standard.

Report Dimensions

Company	Geography
• VZ Retail • CLEC Aggregate • CLEC Specific	• Virginia

Sub-Metrics

PR-6-01	% Installation Troubles reported within 30 Days
Description	The percent of lines/circuits/trunks installed where a reported trouble was found in Verizon's network within 30 days of order completion. Includes Disposition Codes 03 (Drop Wire), 04 (Cable) and 05 (Central Office).

Reference #1 http //www22 verizon com/wholesale/attachments/VZ_E_2002_Holiday_Sched pdf

Products	Resale • POTS- Total • 2-Wire Digital services (ISDN) • Specials	UNE • POTS – Loop-Total • POTS Platform • 2-Wire Digital Loops • 2-Wire xDSL Loops • 2-Wire xDSL - Line Sharing • 2-Wire xDSL- Line Splitting • Specials	Trunks • CLEC Trunks
Calculation	**Numerator**		**Denominator**
	Number of Central Office and outside plant loop (Disposition Codes 03, 04 and 05) troubles with installation activity within 30 days of trouble report		Total Lines installed in calendar month
PR-6-02	**% Installation Troubles reported within seven (7) Days**		
Description	The percent of lines/circuits/trunks installed where a reported trouble was found in the network within seven (7) days of order completion. Includes Disposition Codes 03 (Drop Wire), 04 (Cable) and 05 (Central Office)		
Products	UNE • POTS – Loop Hot Cut		
Calculation	**Numerator**		**Denominator**
	Number of Central Office and outside plant loop (Disposition Codes 03, 04 and 05) troubles with installation activity within seven (7) days of trouble report.		Total Lines installed in calendar month
PR-6-03	**% Installation Troubles reported within 30 Days – FOK/TOK/CPE**		
Description	The percent of lines/circuits/trunks installed where a reported trouble was not found in the network within 30 days of order completion. Includes Disposition Codes 07, 08, and 09 (Found OK/Test OK) and Disposition Codes 12 and 13 (CPE).		
Products	Resale • POTS- Total • 2-Wire Digital Services (ISDN) • Specials	UNE • POTS – Loop-Total • POTS – Platform • 2-Wire Digital Services • 2-Wire xDSL Loops • 2-Wire xDSL - Line Sharing • 2-Wire xDSL- Line Splitting • Specials	Trunks • CLEC Trunks
Calculation	**Numerator**		**Denominator**

Reference #1 http //www22 verizon.com/wholesale/attachments/VZ_E_2002_Holiday_Sched pdf

	Number of Not Found, Test OK and CPE troubles with installation activity within 30 days of trouble report	Total Lines installed in calendar month

Sub-Metrics – Hot Cut Loops		
PR-9-01	**% On Time Performance – Hot Cut**	
Description	Percent of all UNE Loop orders completed within the cut-over window. Start time specified on LSR. For UNE Loops, includes both Loop only and Loop & Number Portability. Orders disconnected early and orders cancelled during or after a defective cut due to Verizon reasons are considered not met.	
Products	UNE • Loop – Hot Cut (Coordinated Cut-over)	
Calculation	**Numerator**	**Denominator**
	Number of Hot Cut (coordinated loop) orders (with or without number portability) completed within commitment window (as scheduled on order) on due date	Number of Hot Cut (coordinated loop orders) completed
PR-9-02	**% Early Cuts – Lines**	
Description	The total number of lines cut before the frame due time (i.e. the beginning of the cut-over window) or cut before mutually agreed upon time between Verizon and the CLEC divided by the total number of hot cut lines completed in the month.	
Calculation	**Numerator**	**Denominator**
	Count of hot cut (coordinated loop) lines (With or without number portability) cut before frame due time or cut before mutually agreed upon time between Verizon and the CLEC	Count of hot cut lines completed.
PR-9-03 through PR-9-07	**Metrics not in use in Virginia.**	
PR-9-08	**Average Duration of Service Interruption**	
Description	The average repair time (Mean Time to Repair - MTTR) for troubles called in to the 1-877-HotCuts line (Installation troubles)	
Calculation	**Numerator**	**Denominator**
	The sum of the trouble clear date and time minus the trouble receipt date and time for Central Office and Loop troubles (disposition codes 03, 04, and 05) for Hot Cut Installation troubles reported within seven (7) days	Number of Central Office and Loop troubles (disposition codes 03, 04, and 05) for Hot Cut Installation troubles reported within seven (7) days
PR-9-09	**Metric Not in Use in Verizon VA**	

Function:

MR-3 Missed Repair Appointments

Definition:

These metrics measure the percent of reported Network Troubles not repaired and cleared by the date and time committed. Also referred to as percent of customer troubles not resolved within estimate Appointment intervals vary with force availability in the POTS environment Includes Disposition Codes 03 (Drop Wire), 04 (Cable) and 05 (Central Office)
Loop is *defined as Disposition Codes 03 plus 04 These troubles are always* dispatched out.

Verizon uses a single ticket process for misdirected troubles on UNE POTS voice loops (only) This process enables Verizon to redirect a trouble to the opposite end of the circuit after a CLEC made an error in the initial dispatch direction.

Exclusions:

- Troubles reported on VZ official (administrative lines)
- Missed appointments where the CLEC or end-user causes the missed appointment *or required access was not available during appointment interval*
- Excludes subsequent reports (additional customer calls while the trouble is pending)
- *Customer Premises Equipment (CPE) troubles
- *Troubles reported but not found (Found OK (FOK) and Test OK (TOK)).
- Troubles closed due to customer action.
- Troubles reported by Verizon employees in the course of performing preventative maintenance, where no customer reported a trouble
- Sub-metric MR-3-02 POTS Loop Only: exclude *redirected* troubles. A trouble ticket is considered a *redirect* if it was dispatched **IN** and **OUT** , and the trouble was found *on the second dispatch (due to a CLEC error in the initial dispatch direction)* Reports with multiple dispatches in the same direction are not excluded

Note: The following *No Access Rule* applies to MR-3 *Missed Repair Appointments* sub-metrics: Exclude records where Verizon dispatches a technician prior to the appointment date, and encounters a *No Access* situation.

* The CPE and FOK/TOK exclusions do not apply to sub-metric MR-3-03

Performance Standard:

Metrics MR-3-01 and MR-3-02 (except UNE 2-Wire xDSL Line Sharing and UNE 2-Wire xDSL Line Splitting)– Parity with VZ Retail.
Metrics MR-3-01 and MR-3-02 UNE 2-Wire xDSL Line Sharing and UNE 2-Wire xDSL Line Splitting: Parity with VADI.

Metrics MR-3-03,: No standard

Report Dimensions

Company	Geography
• VZ Retail	• Virginia

Reference #1 http //www22 verizon com/wholesale/attachments/VZ_E_2002_Holiday_Sched pdf

• CLEC Aggregate • CLEC Specific	

Sub-Metrics		
MR-3-01	**% Missed Repair Appointment – Loop**	
Products	Resale • POTS - Business • POTS – Residence • 2 Wire Digital Services (ISDN)	UNE • Platform Business • Platform Residence • Loop • 2-Wire Digital Services • 2-Wire xDSL Loops • 2-Wire xDSL Line Sharing • 2-Wire xDSL Line Splitting
Calculation	**Numerator**	**Denominator**
	Number of Loop troubles where clear time is greater than commitment time (missed appointments for (M=X) for Disposition Codes 0300-0499)	Number of Loop troubles (Disposition Codes 03 and 04)
MR-3-02	**% Missed Repair Appointment – Central Office**	
Products	Resale • POTS- Business • POTS- Residence • 2 Wire Digital Services (ISDN)	UNE • Platform Business • Platform Residence • Loop • 2-Wire Digital Services • 2-Wire xDSL Loops • 2-Wire xDSL Line Sharing • 2-Wire xDSL Line Splitting
Calculation	**Numerator**	**Denominator**
	Number of Central Office troubles where clear time is greater than commitment time (missed appointments (M=X) for Disposition Code 05)	Number of Central Office Troubles (Disposition Code 05).
MR-3-03	**% CPE/TOK/FOK – Missed Appointment**	
Products	Resale • POTS • 2 Wire Digital Services (ISDN)	UNE • Platform • Loop • 2-Wire Digital Services • 2-Wire xDSL Loops • 2-Wire xDSL Line Sharing • 2-Wire xDSL Line Splitting
Calculation	**Numerator**	**Denominator**
	Number of CPE, FOK and TOK troubles where clear time is greater than appointment time for (M=X) Disposition Codes (07, 08, 09, 12, and 13)	Number of CPE, FOK and TOK troubles (Disposition Codes 07,08, 09, 12, and 13)
MR-3-04	**Metric Not in Use in Verizon VA**	
MR-3-05	**Metric Not in Use in Verizon VA**	

Function:

MR-4 Trouble Duration Intervals

Definition:

This metric measures trouble duration intervals. Mean Time to Repair: (MTTR) For Network Trouble reports, the average duration time from trouble receipt to trouble clearance. Includes Disposition Codes 03 (Drop Wire), 04 (Cable) and 05 (Central Office).

For **POTS, Resale, and Platform** trouble duration intervals are measured on a *running clock* basis. Run clock includes weekends and holidays.

For **UNE Loop, UNE 2-Wire Digital Loop, and UNE 2-Wire xDSL** products, trouble duration intervals are measured on a limited *stop clock* basis. A *stop clock* is used when the customer premises access, provided by the CLEC and its end user, is after the offered repair interval. ***For example,*** if customer premises access is not available on a weekend, the clock stops at 5·00PM Friday, and resumes at 8·00AM Monday This applies to dispatched out tickets only.

For **Special Services** and Interconnection trunks, this is measured on a *stop clock* basis *(e g., the clock is stopped when CLEC testing is occurring, VZ is awaiting carrier acceptance, or VZ is denied access).*

Out of Service Intervals: The percent of Network Troubles that indicate an Out-Of-Service (OOS) condition which was repaired and cleared more than "y" hours after receipt of trouble report. OOS means that there is no dial tone, the customer cannot call out, or the customer cannot be called The OOS period commences when the trouble is entered into VZ's designated trouble-reporting interface either directly by the CLEC or by a VZ representative upon notification. OOS intervals are measured using the same duration calculations that apply to Mean Time to Repair metrics for that product listed above. Includes Disposition Codes 03 (Drop Wire), 04 (Cable) and 05 (Central Office) **Note:** "y" equals hours OOS (2, 4, 12 or 24 hours)

For Special Services: An OOS condition is defined as follows: Troubles where, in the initial contact with the customer, it is determined that the circuit is completely OOS and not just an intermittent problem (osi = 'y'), and the trouble completion code indicated that a trouble was found within the Verizon network

Verizon uses a single ticket process for misdirected troubles on UNE POTS voice loops (only) This process enables Verizon to redirect a trouble to the opposite end of the circuit after a CLEC made an error in the initial dispatch direction.

Exclusions:

- Troubles reported on VZ official (administrative lines)
- Subsequent reports (additional customer calls while the trouble is pending)
- Customer Premises Equipment (CPE) troubles
- Troubles reported but not found (Found OK and Test OK)

- Troubles closed due to customer action
- Troubles reported by Verizon employees in the course of performing preventative maintenance, where no customer reported a trouble
- For, Sub-metric MR-4-03 POTS Loop Only: exclude *redirected* troubles A trouble ticket is considered a *redirect* if it was dispatched **IN** and **OUT**, and the trouble was found on the second dispatch (due to a CLEC error in the initial dispatch direction) Reports with multiple dispatches in the same direction are not excluded.

For troubles where the *stop clock* is used

- The time period from when the *stop clock* is initiated until the time the clock resumes

Performance Standard:			
Parity with VZ Retail (except UNE 2-Wire xDSL Line Sharing and UNE 2-Wire xDSL Line Splitting). UNE 2-Wire xDSL Line Sharing and UNE 2-Wire xDSL Line Splitting: Parity with VADI.			
Report Dimensions			
Company • VZ Retail • CLEC Aggregate • CLEC Specific		Geography • Virginia	
Sub-Metrics – Trouble Duration Intervals			
MR-4-01	**Mean Time To Repair – Total**		
Products	Resale • POTS • 2 Wire Digital Services (ISDN) • Specials (Non DS0 and DS0) • Specials DS1 and DS3	UNE • Platform • Loop • 2-Wire Digital Services • Specials (Non DS0 and DS0) • Specials DS1 and DS3	Trunks • CLEC Trunks
Calculation	**Numerator**		**Denominator**
	Sum of trouble clear date and time minus trouble receipt date and time for Central Office and Loop troubles (Disposition Codes 03, 04 and 05)		Number of Central Office and Loop troubles (Disposition Codes 03, 04 and 05)
MR-4-02	**Mean Time To Repair – Loop Trouble**		
Products	Resale • POTS- Business • POTS- Residence • 2-Wire Digital Services (ISDN)		UNE • Platform Business • Platform Residence • Loop • 2-Wire Digital Services • 2-Wire xDSL Loops • 2-Wire xDSL Line Sharing • 2-Wire xDSL Line Splitting
Calculation	**Numerator**		**Denominator**
	Sum of the trouble clear date and time minus the trouble receipt date and time for Loop troubles (Disposition Codes 03 and 04)		Number of Loop troubles (Disposition Codes 03 and 04)
MR-4-03	**Mean Time To Repair – Central Office Trouble**		

Products	Resale • POTS- Business • POTS- Residence • 2 Wire Digital Services (ISDN)		UNE • POTS – Platform Business • POTS – Platform Residence • POTS - Loop • 2-Wire Digital Services • 2-Wire xDSL Loops • 2-Wire xDSL Line Sharing • 2-Wire xDSL Line Splitting
Calculation	**Numerator**		**Denominator**
	Sum of trouble clear date and time minus trouble receipt date and time for Central Office troubles (Disposition Code 05)		Number of Total Central Office troubles (Disposition Codes 05)
MR-4-04	**% Cleared (all troubles) within 24 Hours**		
Products	Resale • POTS • 2 Wire Digital Services (ISDN) • Specials (Non DS0 and DS0) • Specials DS1 and DS3	UNE • Platform • Loop • 2-Wire Digital Services • 2-Wire xDSL Loops • 2-Wire xDSL Line Sharing • 2-Wire xDSL Line Splitting • Specials (Non DS0 and DS0) • Specials DS1 and DS3	Trunks • CLEC Trunks
Calculation	**Numerator**		**Denominator**
	Number of troubles, where the trouble clear date and time minus trouble receipt date and time is less than or equal to 24 hours		Number of Central Office and Loop troubles (Disposition Codes 03, 04 and 05).
MR-4-05	**% Out of Service > 2 Hours**		
Products	Trunks • CLEC Trunks		
Calculation	**Numerator**		**Denominator**
	Number of trunk troubles OOS, where the trouble clear date and time minus the trouble receipt date and time is greater than two (2) hours		Number of Total OOS trunk troubles (Loop and Central Office)
MR-4-06	**% Out of Service > 4 Hours**		
Products	Resale • POTS- Business • POTS-Residence • Specials (Non DS0 and DS0) • Specials DS1 and DS3	UNE • Platform-Business • Platform-Residence • Specials (Non DS0 and DS0) • Specials DS1 and DS3	Trunks • CLEC Trunks
Calculation	**Numerator**		**Denominator**

Reference #1 http //www22 verizon com/wholesale/attachments/VZ_E_2002_Holiday_Sched pdf

	Number of troubles OOS, where the trouble clear date and time minus trouble receipt date and time is greater than four (4) hours	Number of OOS troubles (Loop and Central Office)

MR-4-07	**% Out of Service > 12 Hours**		
Products	Resale • POTS- Business • POTS-Residence • 2 Wire Digital Services (ISDN)	UNE • Platform-Business • Platform-Residence • Loop • 2-Wire Digital Services • 2-Wire xDSL Loops • 2-Wire xDSL Line Sharing • 2-Wire xDSL Line Splitting	Trunks • CLEC Trunks
Calculation	**Numerator**		**Denominator**
	Number of troubles OOS, where the trouble clear date and time minus trouble receipt date and time is greater than 12 hours		Number of OOS troubles (Loop and Central Office)
MR-4-08	**% Out of Service > 24 Hours**		
Products	Resale • POTS-Business • POTS-Residence • 2 Wire Digital Services (ISDN) • Specials (Non DS0 and DS0) • Specials DS1 and DS3	UNE • Platform Business • Platform Residence • Loop • 2-Wire Digital Services • 2-Wire xDSL Loops • 2-Wire xDSL Line Sharing • 2-Wire xDSL Line Splitting • Specials (Non DS0 and DS0) • Specials DS1 and DS3	Trunks • CLEC Trunks
Calculation	**Numerator**		**Denominator**
	Number of troubles OOS, where the trouble clear date and time minus trouble receipt date and time is greater than 24 hours		Number of OOS troubles (Loop and Central Office)
MR-4-09	**Metric Not In Use in Verizon VA**		
MR-4-10	**Metric Not in Use in Verizon VA**		

Function:

MR-5 Repeat Trouble Reports

Definition:

This metric measures the percent of troubles cleared that have an additional trouble reported/cleared within 30 days for which a network trouble (Disposition Codes 03, 04, or 05) is found A repeat trouble report is defined as a trouble on the same line/circuit/trunk as a previous trouble report that occurred within the last 30 calendar days of the previous trouble Any trouble, regardless of the original Disposition Code, that repeats as a Disposition Code 03, 04, or 05 will be classified as a repeat report with the exception of those exclusions listed in Section A below

The identification of a repeat report and the scoring (number of days since original report) is based on the Close Date of the original report (often referred to as the "OR") to the Close Date of the repeater.

Exclusions:

Section A:
A report is not scored as a *repeat* when the original reports are:

- For Loop troubles *(e g analog loop, 2-Wire Digital Loops, and 2-Wire xDSL Loops)* a repeat is not scored when the original report is no access or misdirected
  1 An initial trouble may only be closed to a *No Access* disposition code if access is not available within the appointment window
  2 An original report that was closed to No Trouble Found (NTF), Found OK (FOK), or Customer Premises Equipment (CPE) is deemed to have been *misdirected* if the trouble is found in a second report that was dispatched in the opposite direction .

Section B

Excluded from the ***repeat*** reports are

- Troubles reported on VZ official (administrative lines)
- Subsequent reports (additional customer calls while the trouble is pending)
- CPE troubles
- Troubles reported but not found upon dispatch (Found OK and Test OK).
- Troubles closed due to customer action
- Troubles reported by Verizon employees in the course of performing preventative maintenance, where no customer reported a trouble
- Troubles that are reported in the PR-6-01 % Installation Troubles Reported within 30 Days metric

Performance Standard:

Parity with VZ Retail (except UNE 2-Wire xDSL Line Sharing and UNE 2-Wire xDSL Line Splitting).

UNE 2-Wire xDSL Line Sharing and UNE 2-Wire xDSL Line Splitting: Parity with VADI

Report Dimensions

Company	Geography
• VZ Retail • CLEC Aggregate • CLEC Specific	• Virginia

Sub-Metrics			
MR-5-01	**% Repeat Reports within 30 Days**		
Products	Resale • POTS • 2-Wire Digital Services (ISDN) • Specials	UNE • Platform • Loop • 2-Wire Digital Services • 2-Wire xDSL Loops • 2-Wire xDSL Line Sharing • 2-Wire xDSL Line Splitting • Specials	Trunks. • CLEC Trunks
Calculation	**Numerator**		**Denominator**
	Number of Central Office and Loop troubles that had previous troubles within the last 30 days (Disposition Codes 03, 04, and 05, that repeated from Disposition Codes < 14) (Repeat Flag is set)		Total Central Office and Loop Found troubles (Disposition Codes 03, 04 and 05) within the calendar month

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Petition of Cavalier Telephone, LLC	)	WC Docket No 02-359
Pursuant to Section 252(e)(5) of the	)	
Communications Act for Preemption	)	
of the Jurisdiction of the Virginia State	)	
Corporation Commission Regarding	)	
Interconnection Disputes with Verizon	)	
Virginia, Inc and for Arbitration	)	

SURREBUTTAL TESTIMONY OF WALTER E. COLE ON BEHALF OF CAVALIER TELEPHONE, LLC

CAVALIER EXHIBIT C24

October 20, 2003

Q. Do you agree with the testimony of Verizon's witness, Mr. Smith, on page 2, line 4 of his rebuttal testimony, that your own testimony does not prove that Verizon misrouted any traffic?

A No Exhibit WC-1 to my direct testimony shows just the opposite, based on traffic that Cavalier analyzed from the July 8, 2003 call detail records from Cavalier's Richmond, Virginia switch Cavalier has applied to those call records the rules of rate center analysis, as detailed by Verizon's own tariff, for identification of call jurisdiction Cavalier has then listed all calls, with the corresponding carriers delivering those calls, that are "Access" and "Local" according to Verizon's rate center analysis rules. The results of that analysis, located in the shaded portion of Exhibit WC-1, show that there was access traffic routed through the local trunks and local traffic routed through the access trunks

For example, the two shaded columns under the "Local" portion of the chart, in the lower part of the exhibit, show traffic that Verizon delivered over the IXC 215 and IXC 303 trunks (intended to carry access traffic only) but that Cavalier believes was local. Cavalier determined that this traffic was local by looking at the "to" and "from" rate centers on these calls, and comparing them to a table that mirrors Verizon's tables used to specify which "to" and "from" rate centers make up a "local" call A potential flaw in this method is that Verizon will sometimes change the calling party number, or CPN, from the actual CPN to a "charge number," as Cavalier believes Verizon has done with certain traffic from Focal Communications.

The fact that Verizon may alter call detail records underscores the need for the type of accurate billing data that Cavalier seeks to achieve through the contract language

that it proposes with respect to Issue C3. However, the altered call detail information should affect only a small percentage of the traffic that Cavalier receives from Verizon Unless Verizon is altering the call details on a widespread scale, the altered information should not substantially alter the conclusion that most, if not all, of the local traffic listed in the two gray columns near the bottom of Exhibit WC-1 is actually local traffic misrouted over access trunks

I would also emphasize that Cavalier provided Verizon with over 500,000 call records that back up the summary in Exhibit WC-1 to my testimony. That data showed that Verizon was misrouting access traffic through the local tandem, as opposed to the access tandem To date, Verizon has not disputed the accuracy of this data or the accuracy of Cavalier's conclusions that were based on this data.

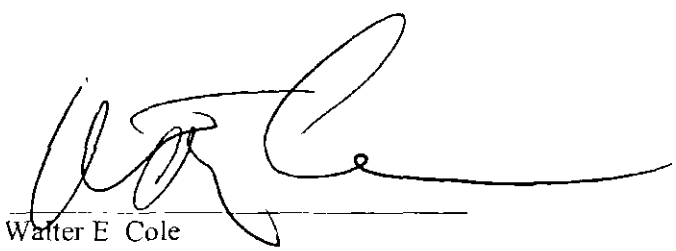
Q. Mr. Smith states, at page 2, lines 4-13 of his rebuttal testimony, that Cavalier must be mistaken, as shown by the example of an AT&T wireless roaming call. Do you agree?

A. No, I do not. First, Mr Smith's explanation has nothing to do with the wireline world He has failed to undercut Cavalier's position in any way that local exchange companies' traffic is being misrouted through access trunks, and that interexchange companies' traffic is being misrouted through local trunks. Moreover, while I agree with Mr Smith that some of the wireless minutes with faulty data could be the result of the example he described, he cannot show that to be the only cause of the faulty wireless calling data

Declaration of Walter Cole

I declare under penalty of perjury that I have reviewed the foregoing testimony and that it is true and accurate to the best of my knowledge.

Executed this 20th day of October, 2003



Walter E Cole

CERTIFICATE OF SERVICE

I certify that true and accurate copies of the foregoing testimony were served this 20th day of October, 2003 to the following persons, by the methods indicated:

by electronic mail and by first class U S mail postage prepaid and properly addressed, to:

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